



State of Ohio Environmental Protection Agency

Northeast District Office

10 E. Aurora Road

Columbus, Ohio 44087-1969

tel: (616) 425-9171



Richard F. Celeste
Governor

September 12, 1988

RE: AMERICAN STEEL FOUNDRIES
ALLIANCE AND SEBRING TWP.
FACILITIES
OHD 981-909-418(G)
OHD 074-497-587(LDF)

CERTIFIED MAIL

Mr. Paul Limbach
American Steel Foundries
1001 East Broadway
Alliance, Ohio 44601

Dear Mr. Limbach:

I have received American Steel Foundries' response to my June 14, 1988 inspection letter submitted by your legal counsel. At this time, I wish to reiterate those violations which remain unaddressed at the production facility despite the objections raised by Mr. Philip Schillawski of Squires, Sanders and Dempsey.

1. Manifests:

I acknowledge ASF's decision to use the proper facility identification number on future manifests. However, I wish to point out that in Mr. Schillawski's response he claims that ASF's application for U.S. EPA number described operations at both the Alliance and Sebring facilities. This statement is incorrect.

ASF submitted a RCRA 3001 "Notification of Hazardous Waste Activity form on August 18, 1980 for TSD activities at the Lake Park Boulevard facility, (see item II of your original notification). As a "first notification", ASF was issued a U.S. EPA identification number (OHD 017-497-587) for this facility. The term "facility" as defined in 40 CFR 260.10 and OAC 3745-50-10 means all contiguous land and structures.... The number issued by U.S. EPA was for the facility on Lake Park Boulevard.

ASF subsequently filed a Part A application on November 18, 1980 for the Lake Park Boulevard facility. A second Part A application (dated July 16, 1981) was filed and accompanied by a cover letter which requested withdrawal of the original application.

In a letter dated June 25, 1982, ASF requested that U.S. EPA withdraw the Part A hazardous waste permit application for its facility in Alliance, Ohio. The letter closes with the request to maintain the EPA ID number for this facility. ASF's request to retain this number for the Broadway Avenue facility was not possible as this number applied only to the Sebring facility.

The identification number (OHD 981-090-418) applies to the Broadway Avenue facility. This number was applied for and issued by U.S. EPA as a means for tracking activities at the production facility. I indicated this in an earlier letter (September 28, 1987) to Mr. David Statler of ASF and at that time, sent him a U.S. EPA notification packet for ASF to make their own application for a U.S. EPA identification number.

I have provided you this summary to help resolve some of the confusion which has arisen during my two inspections of ASF's facilities with regard to identification numbers. In summary, ASF violated 40 CFR 262.20 and OAC 3745-52-20 by using improper identification numbers.

2. Personnel Training

I have reviewed the submitted documentation and find that ASF has complied with the personnel training violation cited in my June 14, 1988 letter.

3. Contingency Plan

ASF has not submitted nor documented submission of their contingency plan to local emergency response agencies. Mr. Schillawski presents arguments against submission for the plan due to the non-explosive nature of this material. The "metallic oxides" referenced in this letter presumably include both lead and cadmium oxide, i.e. the metallic constituents of which make this material a RCRA characteristic hazardous waste. The summary toxicity statements as found in Dangerous Properties of Industrial Materials, Sax, N. Irving, 5th Edition, 1987 indicate that these compounds (the oxides) are highly toxic via inhalation, oral or intraperitoneal modes of exposure.

Again, submission of your contingency plan to local response agencies (including local hospital(s) for possible toxicity exposures) is required by 40 CFR 265.53 and OAC 3745-65-53. Similarly, ASF remains in violation of 40 CFR 265.37 (OAC 3745-65-37) and 40 CFR 265.52 (OAC 3745-65-52) for the reasons summarized in my original inspection letter dated June 14, 1988.

4. Annual Reporting Requirements

ASF has complied with the generator reporting requirements by submission of a 1987 annual report.

5. Disposal Facility

At this time, all outstanding violations pertaining to this facility remain outstanding and are the subject of a pending U.S. EPA enforcement case.

Page Number 3
September 12, 1988
Mr. Paul Limbach

Ohio EPA
NEDO

Other Issues

Closure of the former unpermitted treatment unit (tank truck - defined as RCRA "container") has not been completed in accordance with 40 CFR 265.404 and OAC 3745-69-04.

Failure to comply with these outstanding violations will result in a referral of your case for enforcement action. Please submit documentation which would demonstrate compliance with all cited violations. If you have any questions, please contact me at (216) 425-9171.

Respectfully,



Kevin Bonzo
Environmental Scientist
Division of Solid and Hazardous Waste
Management

DB/sp

cc: Debby Berg, DSHWM, NEDO
Dave Sholtis, DSHWM, Central Office
Catherine McCord, DSHWM, U.S. EPA, Region V



American Steel Foundries

1001 EAST BROADWAY • ALLIANCE, OHIO 44601 • (216) 423-6151

July 11, 1988

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OHIO EPA

JUL 18 1988

Mr. Keith Demoff
Ohio E.P.A.
Division of Solid and Hazardous Waste Management
Program Planning and Management Section
P. O. Box 1049
Columbus, Ohio 43266-0149

DIV. of SOLID & HAZ. WASTE MGT.

Dear Sir:

GENERATOR ANNUAL HAZARDOUS WASTE REPORT

Per your request, we have changed the Generator's EPA I.D. Number to OHD981090418 on the attached report. All manifests from this plant will be changed accordingly.

If any additional adjustments are required, please advise.

Yours very truly,

C. R. DIXON, JR.
WORKS MANAGER

BY *Paul A. Limbach*
P. A. LIMBACH
WORKS ENGINEER

TCB:jlm

cc: CAR

Attachment

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JUL 29 1988

OHIO EPA-N.E.D.O.

370 032

... OF THE **Amsted**
INDUSTRIES

OHIO ENVIRONMENTAL PROTECTION GENERATOR ANNUAL HAZARDOUS WASTE REPORT

See the booklet for instructions (last number 11 19 87)

The information requested herein is required by Rules 3745-52-4, 3745-54-75 and 3745-55-75 as applicable of the Ohio Administrative Code.

REFER TO THE SPECIFIC INSTRUCTIONS CONTAINED IN THIS BOOKLET BEFORE COMPLETING THIS FORM.

Please print/type with elite type (12 characters per inch)

RECEIVED
OHIO EPA

JUL 18 1988

DIV. of SOLID & HAZ WASTE MGT.

I. GENERATOR'S EPA I.D. NUMBER

1 F I O H D I 9 8 1 1 0 9 0 4 - 1 8 1 1
1 2 13 14 15

II. NAME OF INSTALLATION

A M E R I C I A N S T E E L F O U N D R I E S

III. INSTALLATION MAILING ADDRESS

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 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GENERATOR ANNUAL HAZARDOUS WASTE REPORT (cont.)

For the calendar year ending December 31, 19 **87**

FACILITY INFORMATION

(Specify facility to which all wastes on the page were sent)

VIII. GENERATOR'S EPA I.D. NO.

1/AC

COH0001000410112

IX. FACILITY'S EPA I.D. NO.

X. FACILITY NAME

PA D 0 0 2 3 9 5 8 8 7

NEW JERSEY ZINC CO.

XI. FACILITY'S ADDRESS

1 E. 4TH AND DELAWARE AVE.

Street or P.O. Box

PALMERTON

City or Town

State/Zip Code

XII. WASTE IDENTIFICATION

Line	A. DESCRIPTION OF WASTE	B. DOT HAZARD CLASS	C. USEPA HAZARDOUS WASTE NUMBER (see instructions)	D. AMOUNT OF WASTE	E. UNIFORM HAZARDING
1	ELECTRIC ARC FURNACE DUST	1 2	00 06 00 08	30 32 00	
2					
3					
4					
5					
6					
7					
8					

XIII. COMMENTS (enter information by section number)

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OHIO EPA

JUL 18 1987

DIV. of SOLID & HAZ. W.

Spencer, Shuman & Dwyer

Ms. Catherine A. McCord
August 8, 1985
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provision, and as a result, none of the permitting or other requirements of Part 264 or 265 are applicable.

ASF's reluctance to change its present methods of operation is based not only on a belief that current procedures comply with all legal requirements, but also on environmental considerations. Assuming that the baghouse dust is "hazardous", under present procedures, it is immediately combined with other materials in a closed container, so that at all times during any transportation or disposal the disposal materials are non-hazardous. In essence, your letter asks ASF to immediately cease combining the materials and separately send the baghouse dust to another facility. Thus the change in procedure would involve the transportation and disposal of a hazardous material, while the present procedure does not. Further, once the separate baghouse dust is sent to a new hazardous waste disposal facility, there is no assurance that the new site would not now, or in the future, present environmental concerns, even if it is permitted. (I should also note that, according to both the Ohio EPA and U.S. EPA, in sending materials to a hazardous waste disposal facility, ASF might be inheriting liability for hazardous substances sent to that site by other companies). ASF believes that its current practices are legitimate and environmentally sound, and before changing its practices on the basis of an agency interpretation which it believes is misplaced, ASF would like to be sure that any alternative procedures do not involve greater environmental risks.

Since this involves a question of legal interpretation, by copy of this letter I am asking Jennifer Tiell, who I understand is succeeding Ben Pfefferle, to address the interpretation of the exemption from Parts 264 and 265 as it applies to the ASF facility. I raised this point in my June 7, 1985 letter, but the only response I received was an inspection form on which you note that the disposal material "treatment" equipment is not excluded under 40 CFR Section 265.1(c)(9), or OAC Rule 3745-65-01. NEDO apparently disagrees with my reading of the regulations, but I would like to know why. If, for example, NEDO believes that the process does not fit within the exemption because of some design feature, it is important to know in what respect it does not qualify so that changes might be considered.

If after reviewing this matter the Ohio EPA legal staff concurs with your apparent determination and specifies why the ASF process is not exempt as a totally enclosed treatment facility, and if the specific concerns cannot be corrected, then ASF will promptly decide whether to (a) seek legal review of the determination, (b)

Superior, Lincoln & Company

Ms. Catherine A. McCord
August 8, 1985
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proceed with the application process, or (c) depending on the existence of feasible alternatives, consider a change in the existing process.

Very truly yours,

Geoffrey K. Barnes
Geoffrey K. Barnes

GKB/ma

cc: Joe Dopler, Stark County Health Department
Ken Frase, DWQMA, NEDO
Ed Kitchen, DSHWM, Central Office
Kevin O'Grady, DSHWM, Central Office
Jennifer Tiell, Legal Section, Central Office
Joe Speakman, DSHWM, Central Office
Steve Uecke, Mahoning County Health Department

P.S. ASF has requested product information from the supplier of the degreasing agent referred to in your letter, and will forward the information after it is received.

Squire, Sanders & Dempsey

*Additional Offices:
Cleveland, Ohio
Akron, Ohio
Cincinnati, Ohio
New York, New York
Philadelphia, Pennsylvania
Washington, D.C.*

*Counsellors at Law
1800 Huntington Building
Cleveland, Ohio 44115*

*Telephone (216) 687-8324
Telex "Squire"
File 885-681
Telex 1 (216) 687-8777
Telex 2 (216) 687-8780*

June 7, 1985

General Counsel

(216) 687-8646

Ms. Catherine A. McCord
Environmental Scientist
Division of Solid and Hazardous
Waste Management
Northeast District Office
2110 East Aurora Road
Ohio Environmental Protection
Agency
Twinsburg, Ohio 44087

Re: American Steel Foundries Alliance Works

Dear Ms. McCord:

I understand from my client, American Steel Foundries (ASF), that representatives of ASF and its consultant, Dave Cowherd of Bowser-Morner & Associates have been meeting with the Northeast District Office of the Ohio EPA (NEDO) to discuss various permit application matters, including hydrogeological work being planned by Bowser-Morner. I also understand that Bowser-Morner has modified the proposed program to respond to suggestions made by NEDO, and I trust that those discussions are proceeding satisfactorily.

Without intending to interfere with the progress of the continuing discussions between ASF and NEDO, I wanted to take this opportunity to clarify several points. As you know, ASF has disagreed with a number of statements made in your recent letters. ASF has also received correspondence dated April 5, 1985 from the Mahoning County General Health District, which was apparently prompted by NEDO letters and comments. To correct what we believe to be incorrect or premature conclusions of fact and law by NEDO, and to make sure that our silence is not later misinterpreted as concurrence with those statements, I will provide here a partial response to certain points made in your prior correspondence.

"Hazardous Waste"

Your correspondence has stated that "hazardous waste" is generated by ASF and has suggested (or at least been interpreted by

ATTACHMENT

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Ms. Catherine A. McCord
June 7, 1985
Page 3

and claims (based on limited samples which may or may not be representative) that that constituent is "hazardous" and subject to various regulatory requirements. The NEDO analysis is based on several faulty assumptions and the conclusion is incorrect.

By artificially separating one constituent of ASF's waste materials, NEDO has improperly identified the "waste". Under a literal and common sense interpretation of the term, the "waste" is the material taken from the site for disposal, and not one of its constituents. Under standard operating procedures, the baghouse dust is not separately handled or disposed of. The baghouse dust is contained entirely within internal processing equipment, and there is no "waste" for disposal until the baghouse dust is combined with clarifier sludge, again within an enclosed piece of equipment. The focus ought to be on the characteristics of the material actually disposed of; it is clearly inappropriate to artificially separate and analyze the constituents. Many materials (such as "construction debris" and other materials that are exempt from the definition of solid waste) have constituents which, if artificially separated, may be "toxic", but which are simply not "toxic" in the form to be disposed of.

The applicable regulations quite properly focus on the "waste" to be disposed of - and not its constituent parts. Both the state and federal regulations contemplate that a "waste" is to be characterized as it exists at the point of disposal. An exception to this general rule is where the regulations specifically "list" a waste, in which event the waste is defined by the regulation. Even then, a "mixture" of that listed waste with a solid waste is not hazardous if the mixture no longer exhibits any of the four hazardous waste "characteristics". See 40 CFR Section 261.3(a)(2) and OAC Rule 3745-51-03(A)(2).

Just as the regulations look at the characteristics of the materials actually disposed of, they also take into account the real world environmental risks in connection with permitting requirements. For example, it was suggested at one of our meetings that the process of combining the alleged "hazardous" baghouse dust with other materials would be "treatment" for which a "treatment" permit would be required. As mentioned, the waste should be characterized in the form it is to be disposed of and not in its constituent parts. Even assuming, however, that the baghouse dust is a separate waste and that the process of mixing the baghouse dust with other materials is "treatment", a permit would not be required. Expressly excluded from regulation under the hazardous waste management standards of OAC 3745-54 are owners and operators of "totally enclosed treatment facilities". See OAC Section 3745-54-

Spencer, Landrum & Company

Ms. Catherine A. McCord
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01(G)(5). As defined in Ohio rule, as well as the parallel federal rule at 40 CFR Section 265.1(C)(9), a totally enclosed treatment facility includes facilities which are connected with an industrial production process and which are constructed and operated in a manner which prevent the release of any hazardous waste into the environment. The normal operating process in which the baghouse dust is combined with other materials at the plant would fall within the definition of "totally enclosed treatment system", although as mentioned, it is not appropriate to speak of "treatment" of a baghouse dust waste, because the "waste" is not created until after the process materials are combined and collected for disposal.

Requirement for Permit as a "Solid Waste Disposal Facility"

Apart from any "hazardous waste" considerations, NEDO has stated that ASF has been disposing of "solid waste" at the Mahoning County site without required permits. We respectfully disagree with that conclusion.

Your files should disclose that several years ago NEDO wrote to ASF, in essence alleging that ASF's disposal activities at the Mahoning County site required a solid waste disposal permit. ASF believed then, as it does now, that as a legal matter NEDO is incorrect in its interpretation of the permit requirements. To determine whether a permit was in fact required, ASF filed a request for an adjudication hearing before the Ohio Environmental Board of Review (EBR). ASF's efforts to have the question judicially clarified, however, were unsuccessful because of actions taken by the Ohio EPA. Among other things, the Ohio EPA responded before the EBR by disavowing the NEDO letters as not constituting a formal position of the Director of the Ohio EPA, and the EBR dismissed the case. Other than an occasional inspection (which disclosed no evidence of noncompliance) ASF heard nothing more from Ohio EPA for years until the recent spate of letters from NEDO. Until recently, ASF assumed that Ohio EPA did not in fact believe that a permit was required. Whether that assumption was originally incorrect or whether the Agency's position has recently changed appears to be immaterial, since the Ohio EPA Central Office has not yet disagreed with NEDO's position that a permit is required.

One of the bases for ASF's early adjudication request was that the various foundry wastes disposed of at the Mahoning County site were not "solid wastes", and thus permits for the disposal of solid waste should not be required. The term "solid waste" is defined in ORC Section 3734.01(E) as:

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"such unwanted residual solid or semi-solid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that would normally be included in demolition debris, non-toxic fly ash, spent non-toxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, combustible and non-combustible material, street dirt and debris." [emphasis supplied]

It is clear from the statutory definition of "solid waste" that the Legislature acknowledged the unique nature of the waste materials from certain industry operations, and it limited the authority of the Ohio EPA to impose the full panoply of solid waste disposal requirements on those special waste categories. Generally, the industries encompassed by the exemption, like foundries, are those which generate relatively large volumes of waste with relatively low environmental risks or which generate wastes that are qualitatively different from materials typically disposed of in sanitary landfills. It is apparent from the foregoing definition of "solid waste" (as well as other statutory provisions discussed below) that the Legislature intended special treatment for foundry wastes.

It is also clear that in drafting the statute the Legislature did not attempt an exclusive listing of the wastes exempted from the definition of "solid waste". Any such attempt would have produced a list, which, in addition to being unwieldy, would have risked the omission of certain wastes commonly or necessarily associated with the exempted materials. To avoid such a problem, the statute includes, along with waste from "demolition operations", "other waste materials of the type that would normally be included in demolition debris". Similarly, to insure that "spent non-toxic foundry sand, and slag" is not construed as the exclusive list of exempted foundry wastes, the Legislature also excluded "other substances that are not harmful or inimical to public health". WEDO has narrowly construed the exemption to include only "spent non-toxic foundry sand" and "slag", and it has apparently refused to consider, as part of that exemption, any other non-toxic foundry wastes. The additional exemption for "other substances" must mean something, yet WEDO's narrow interpretation of the rule completely ignores those words in the statute.

Lyman, Landon & Thompson

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I am not suggesting that all "other substances" or all wastes associated with foundry operations are necessarily exempt from the definition of "solid waste". There are, quite properly, limits to the exemption provided by both the words of the statute and by a principle of statutory construction.

First, the statutory exemption for foundry sand and fly ash is limited to "non-toxic" materials. Similarly, the "catch-all" provision for "other substances" is limited to materials which are "not harmful or inimical to public health".

In determining what is meant by the terms "non-toxic" and "not harmful or inimical to public health", some guidance is available from the recent amendments to ORC Chapter 3734 (which deals with both solid and hazardous waste). When the Ohio Legislature amended Chapter 3734 in 1980 to authorize development of new hazardous waste regulations, it took care to insure that the same industries selected for special treatment in the solid waste regulations (including foundries) would not be subjected to unreasonable restrictions under the hazardous waste regulations. Section 4 of Senate Bill 269 provided as follows:

"Until such time as the United States Environmental Protection Agency adopts regulations under the "Resource Conservation and Recovery Act of 1976", 90 Stat. 2806, 42 U.S.C. 6921, as amended, the term "hazardous waste" as used in Chapter 3734, of the Revised Code shall not include slag, fly ash, oil and gas drilling muds, foundry sand, bottom ash, scrubber sludge, or paper mill sludge unless the Director of the Ohio Environmental Protection Agency determines in accordance with rules adopted by him under Chapters 119. and 3745. of the Revised Code that such substances are toxic."

In that recent amendment to O.R.C. Section 3734, the Ohio Legislature equated the term "toxic" with "hazardous", with the necessary implication that "non-hazardous" means "non-toxic". The Ohio Legislature also expressly reaffirmed the legal rulemaking requirement that would otherwise be applicable; i.e., that before the Agency may impose regulations on the exempted materials, it must first determine, in accordance with formal rulemaking pursuant to ORC Chapters 119 and 3745, that the substances to be regulated are "toxic". We submit that, in view of the legislature's equation of the terms "non-toxic" with "non-hazardous" in ORC Chapter 3734, the terms "non-toxic" and "not harmful or inimical to public health" in

Spencer, Lander & Gump

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ORC Section 3734.01(E) must mean "non-hazardous". Further, even if the Agency has the authority to define "non-toxic" as something different than "non-hazardous", it clearly cannot do so without first conducting formal rulemaking.

As you are probably aware, the Ohio EPA has not attempted to define the term "non-toxic" through formal rulemaking. Instead, NEDO has been applying an "interoffice communication" dated October 20, 1982 from former Ohio EPA Director Wayne Nichols, setting forth a definition of "non-toxic". Even assuming that this lower threshold (rather than the EP toxicity criteria) is the appropriate definition of "non-toxic" for purposes of the exemption, to the best of my knowledge, the material disposed of at the Mahoning County site is non-toxic.

By whatever "toxicity" threshold is used, the term "other substances" should be interpreted by the standard doctrine of statutory construction which provides guidance in determining the members of a class which is described but not specifically enumerated. Specifically, the doctrine of ejusdem generis (meaning "of the same kind") provides that where general words (such as "other substances"), follow the enumeration of a class of things (foundry sand and slag), the general words will be construed as including things of the same general nature as those enumerated. In this case, other types of foundry wastes should be included. Otherwise, the Legislature's clear intent (evidenced in both the solid waste regulations and the hazardous waste rules) to provide special treatment for foundry wastes would be frustrated.

As a final point, I should emphasize that the exemption for non-hazardous foundry wastes is a limitation on the authority of the Ohio EPA to impose regulatory requirements on those categories of wastes. While NEDO, or, for that matter, the Director of Ohio EPA, may disagree with the wisdom of the Legislative exemptions, it is beyond the power of the Agency to eliminate or restrict them, even if the Ohio EPA had completed formal rulemaking (which it has not).

Conclusion

Obviously one way of resolving any differences in interpretation would be to seek judicial review of Ohio EPA's official position. ASF attempted that route several years ago, and found that after a substantial expenditure of time and money, the matter was apparently not resolved. For this reason, and also because ASF has no wish to develop unnecessarily an adversarial relationship with the Agency, ASF is willing to seek the requested

Lyons, Landon & Thompson

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permits or take other requested action, so long as the requests or permit requirements are reasonable. (In that regard, please note that the purpose of the Bowser-Morner hydrogeological study is not, as stated in your May 15 letter, "to perform an environmental assessment/impact study of disposal activities", but rather to develop information necessary for permitting. The hydrogeological work and other studies may well supply an "environmental assessment" (depending on what is meant by that term), but its purpose is to provide information necessary to permitting. Previous tests at the Mahoning County site had shown that the materials were not toxic, and that substantial health risks were not presented by the operation. The hydrogeological work in connection with the permit application should provide additional information on this point, which should satisfy any legitimate concern.) I want to stress, however, as I have at our earlier meetings, that throughout this process ASF is reserving its rights to contest whether a permit is required at all.

I would like to make a final observation on the tone of certain NEDO correspondence which, in view of the history and current status of this matter, strikes me as inappropriate. While you may personally disagree with the interpretations I have presented here, and while you no doubt believe that your positions are justified, the regulations discussed in this letter cannot fairly be interpreted as the unambiguous and inflexible dictates described in NEDO correspondence. Nor would there be any doubt about the legitimacy of the issues we raise here, even though you may disagree with our conclusions. Further, in view of the fact that the Ohio EPA frustrated ASF's attempt several years ago to seek judicial clarification of the applicable requirements, and the long intervening hiatus, there is certainly not any basis for any demand that ASF immediately cease use of the disposal facility, with the attendant disruption of operations or loss of jobs that might entail.


I anticipate from prior correspondence and discussions that NEDO and the Ohio EPA will disagree with some or all of the foregoing analysis, so it is unnecessary for NEDO or Ohio EPA to respond to this letter in order to avoid any claim that "silence is assent" to these positions. My goal is not to create or escalate a "battle of letters". I thought it was appropriate, however, before too much time passed, to provide at least one response and to clarify ASF's interpretation of the applicable legal requirements.

Squire, Sanders & Company

Ms. Catherine A. McCord
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Page 9

As mentioned, please do not misinterpret this letter as any change in ASF's previously announced policy to cooperate with any reasonable request of the Agency.. While there may remain a fundamental disagreement on the legal issues, through continuing discussions it should be possible to develop a program which satisfies both the Agency and the Company.

Very truly yours,


Geoffrey K. Barnes

GKB/ma

cc: Joe Dopler, Stark County Health Department
Ken Frase, DWQMA, NEDO
Ed Kitchen, DSHWM, Central Office
Kevin O'Grady, DSHWM, Central Office
Ben Pfefferle, Legal Section, Central Office
Joe Speakman, DSHWM, Central Office
Steve Uecke, Mahoning County Health Department



American Steel Foundries

1001 EAST BROADWAY • ALLIANCE, OHIO 44601 • (216) 623-6150

July 11, 1988

Mr. Keith Demoff
Ohio E.P.A.
Division of Solid and Hazardous Waste Management
Program Planning and Management Section
P. O. Box 1049
Columbus, Ohio 43260-0149

Dear Sir:

GENERATOR ANNUAL HAZARDOUS WASTE REPORT

Per your request, we have changed the Generator's EPA I.D. Number to OHD981090418 on the attached report. All manifests from this plant will be changed accordingly.

If any additional adjustments are required, please advise.

Yours very truly,

C. R. DIXON, JR.
WORKS MANAGER

BY

Paul A. Limbach
P. A. LIMBACH
WORKS ENGINEER

TCB:jlm

cc: CAR

Attachment



American Steel Foundries

1001 EAST BROADWAY • ALLIANCE, OHIO 44601 • (216) 823-6150
July 11, 1988

Ohio EPA
Division of Hazardous Waste Manifesting
P. O. Box 1049
1800 Watermark Drive
Columbus, Ohio 43265-0149

Gentlemen:

HAZARDOUS WASTE MANIFESTS

We have been directed by Mr. Keith Demoff of the Central Office of the Ohio EPA to change our plant U.S. EPA I.D. Number to "OHD981090418".

The following hazardous waste manifests have been written since December, 1987 and should be changed to reflect the new number:

	<u>ASF MANIFEST NO.</u>	<u>P.A. STATE MANIFEST NO.</u>
1.	00001	PAB - 5168295
2.	00002	PAB - 5168308
3.	00003	PAB - 5168310
4.	00004	PAB - 4651091
5.	00005	PAB - 4651102
6.	00006	PAB - 5352524
7.	00007	PAB - 5352535
8.	00008	PAB - 5352545
9.	00009	PAB - 5352550
10.	00010	PAB - 5352561
11.	00011	PAB - 5352572
12.	00012	PAB - 5352583

Please revise your copies of these manifests to reflect this change.

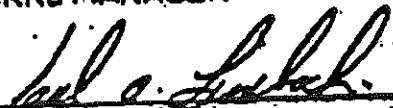
TCB:jlm

cc: CAR
CRD

Yours very truly,

C. R. DIXON, JR.
WORKS MANAGER

Ms. Deborah Cope
Horseshoe Resource Development Co.
The New Jersey Zinc Co.
Fourth and Delaware co.
Palmerton, Pa. 18071

BY 
P. A. LIMBACH
WORKS ENGINEER

Pennsylvania Department of Environmental Resources
Bureau of Waste Management
P. O. Box 2063
Harrisburg, Pa. 17120

OHIO ENVIRONMENTAL PROTECTION AGENCY
GENERATOR ANNUAL HAZARDOUS WASTE REPORT

Actual Date

For the calendar year ending December 31, 1987

87

The information requested herein is required by Rules 3745-52-4, 3745-54-75 and 3745-55-75 as applicable of the Ohio Administrative Code.

REFER TO THE SPECIFIC INSTRUCTIONS CONTAINED IN THIS BOOKLET BEFORE COMPLETING THIS FORM.

Please print/type with blue type (12 characters per inch)

GENERATOR'S EPA I.D. NUMBER

040981909418
FAC
1 2 3 4 5 6 7 8 9 10 11 12

I. NAME OF INSTALLATION

AMERICAN STEEL FOUNDRIES

II. INSTALLATION MAILING ADDRESS

3110011 E BROADWAY ST

Street or P.O. Box

41 AULIANCE

City or Town

OH 44150

State Zip Code

V. LOCATION OF INSTALLATION

5110011 E BROADWAY ST

City or Town

716

County Code

61 AULIANCE

City or Town

OH 44180

State Zip Code

3825

Primary SIC Code

V. INSTALLATION CONTACT

2116182316150

Name (last and first)

Phone No. (area code & no.)

VI. TRANSPORTATION SERVICES USED

List the name and EPA identification numbers of all hazardous waste transporters whose services were used during the reporting year.

JACK GRAY TRANSPORT INC.

VII. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on the inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

C. R. DIXON, JR. WORKS MANAGER

Print Name

Title

C. R. Dixon Jr.
Signature of Authorized Representative

3-10-88

Date Signed

for the calendar year ending December 31, 1987

Specific listing in which all names on this page were used:

COPY 981090418

NEW JERSEY ZINC CO

FLAUBERT

State/Zip Code

A DESCRIPTION OF WASTE

C. LEIPA HAZARDOUS
WASTE POLYMER
NOT CONCENTRATED

0 4401 41 0 4401

1991 1992
1993 1994

ELECTRIC ARC FURNACE

DUST.

2

0006

0,0:0,0

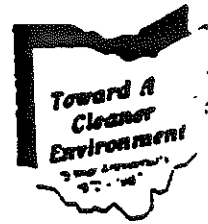
190-320

III. COMMENTS insert information by section number



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149



Richard F. Celeste
Governor

INTER OFFICE COMMUNICATION

TO: KEVIN BONZO ^{NEDO}
FROM: KEITH DIMOFF ¹⁰ DMS, DSHWM
SUBJECT: AMERICAN STEEL FOUNDRIES,
EPA ID NUMBER
DATE: JUNE 23, 1988

On April 12, 1988, I spoke by phone with Paul Limbach of American Steel Foundries, Alliance, concerning the EPA ID number for the 1001 E. Broadway St. plant and their apparent confusion with the ID number for their landfill at Lake Park Blvd. and Edwinton Ave. According to my current U.S. EPA Region 5 listing, the correct ID number for the Broadway plant is OHD981090418 and the correct ID number for the landfill is OHD017497587. On their 1987 submittal of the Generator Annual Hazardous Waste Report, they used the landfill ID number, prompting me to contact Mr. Limbach. At that time he checked the number they had been using for manifesting purposes and discovered that it was wrong. I told him to send a letter stating the error and the manifest numbers affected. I have not yet received this notification. I also told him to begin to use the correct ID number for manifesting purposes.

I again contacted Mr. Limbach on June 7, 1988 to determine why he had not sent the requested letter and to determine if they had begun to use the correct ID number. He referred me to Terry Bradway, who stated that he had begun to work on the problem and that he was willing to do whatever was necessary to resolve it. He also stated that he has a copy of the U.S. EPA notification of the plant ID number which contradicts the current U.S. EPA listing. On June, 8, 1988, I requested that he FAX this notification to me to help resolve any confusion. I have not yet received the copy nor has Mr. Limbach or Mr. Bradway contacted me since.

I have enclosed a manifest dated 5-31-88 which shows the wrong ID number still being used.

Please let me know if I can help resolve this issue or if you have any further information.

KD/ds/Enclosure



(Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-91

PLEASE PRINT OR TYPE

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.

OH D 8 8 1 0 9 0 4 1 8

Manifest Document No.

0 0 0 4 9

2. Page 1 of 1

Information in the shaded areas is not required by Federal law, but items D, F, H and I are required by State law.

3. Generator's Name and Mailing Address

AMERICAN STEEL FOUNDRIES

1001 E. BROADWAY ST.

ALLIANCE, OHIO 44601

4. Generator's Phone (216) 823-6150

5. Transporter 1 Company Name

(CWM) OHIO TRANSPORTATION

6. Use EPA ID Number

I L D 0 9 2 2 0 2 6 8

7. Transporter 2 Company Name

8. Use EPA ID Number

.....

9. Designated Facility Name and Site Address

CHEM WASTE MANAGEMENT OF OHIO

4636 ADAMS CENTER ROAD

FORT WAYNE, IN 46806

10. Use EPA ID Number

I N D 0 7 8 9 1 1 1 4 6

A. State Manifest Document Number

INA 0351292

B. State Generator's ID

OH D 8 8 1 0 9 0 4 1 8

C. State Transporter's ID

D. Transporter's Phone (513) 859-6101

E. State Transporter's ID

F. Transporter's Phone

G. State Facility's ID

H. Facility's Phone (219) 447-5585

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

a. RQ HAZARDOUS WASTE SOLID N.O.S.
ORN-E, NA-9189 (EPA TOXICITY)

12. Containers

No. Type

0 0 1 D T

13. Total Quantity

31.340

14. Unit Wt/Vol.

P

1. Waste No.

D006
D008

J. Additional Descriptions for Materials Listed Above

SOLID

HAZARD CODE "T"

PROFILE #J-52439

K. Handling Codes for Wastes Listed Above

\$03

15. Special Handling Instructions and Additional Information

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name

C. E. DIXON, JR., WORKS MANAGER

Signature

Date Month Day Year 0 8 2 7 8 9

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Date Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Date Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted Item 19.

Printed/Typed Name

Signature

Date Month Day Year

DEPOSITION
EXHIBIT
K I D

INA 0351292

In case of a spill call the Indiana Office of Environmental Response at 317/241-4336 (day or night) and the National Response Center at 800/424-8802 or 202/426-2675.



PLEASE PRINT OR TYPE

(Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039. Expires 9-30-91

UNIFORM HAZARDOUS
WASTE MANIFEST

1. Generator's US EPA ID No.

OH D 981090418

Manifest
Document No.

000050

2. Page 1
of

Information in the shaded areas is
not required by Federal law, but
items D, F, H and I are required by
State law.

3. Generator's Name and Mailing Address

American Steel Foundries

1001 E. Broadway St.

Alliance, Ohio 44501

4. Generator's Phone (216) 823-6150

5. Transporter 1 Company Name

(CWN) Ohio Transportation

7. Transporter 2 Company Name

6. Use EPA ID Number

IL D 099202681

8. Use EPA ID Number

10. Use EPA ID Number

IL D 078911146

A. State Manifest Document Number

INA 0351291

B. State Generator's ID

OH D 981090418

C. State Transporter's ID

D. Transporter's Phone (513) 859-6101

E. State Transporter's ID

F. Transporter's Phone

G. State Facility's ID

H. Facility's Phone

(219) 447-5585

9. Designated Facility Name and Site Address

Chem Waste Management of Ohio

4636 Adams Center Road

Fort Wayne, In. 46806

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)

12. Containers

No.

Type

13. Total
Quantity

14. Unit
Wt./Vol.

15. Waste No.

a. RQ Hazardous Waste Solid N.O.S.
OSM-E, NA-9189 (EPA Toxicity)
D006, D008

0-01 D-T

30340 P

D006
D008

J. Additional Descriptions for Materials Listed Above

Solid
Hazard Code *T*
Profile # J-52439

K. Handling Codes for Wastes Listed Above

803

15. Special Handling Instructions and Additional Information

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.

Printed/Typed Name

C. R. Dixon, Jr., Works Manager

Signature

Month Day Year
0 7 2 4 8 9

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name

Signature

Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted item 19.

Printed/Typed Name

Signature

Month Day Year



PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES

Bureau of Waste Management

P. O. Box 2063

Harrisburg, PA 17120

Form approved.
OMB No. 2050-0039
Expires 9-30-88

ER-SWM-51:REV. 6/87

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. OHDO17497587		Manifest Document No. 000005		2. Page 1 of		Information in the shaded areas is not required by Federal law but is required by State law.									
3. Generator's Name and Mailing Address American Steel Foundries 1001 E. Broadway St. Alliance, Ohio 44801						A. State Manifest Document Number PAB 4651102											
						B. State Gen. ID OHDO17497587											
4. Generator's Phone (216) 823-6150						C. State Trans. ID PA-AH 0208											
5. Transporter 1 Company Name Jack Gray Transport						6. US EPA ID Number IND042534076											
7. Transporter 2 Company Name						8. US EPA ID Number											
9. Designated Facility Name and Site Address The New Jersey Zinc Co. Fourth and Delaware Ave. Palmerton, Pennsylvania						10. US EPA ID Number PAAD002395887											
						D. Transporter's Phone (800) 638-9170											
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) R.Q. Hazardous Waste Solid N.O.S. ORM-E, NA9189, (K051)						12. Containers		13. Total Quantity		14. Unit Wt/Vol		15. Waste No.					
						No. Type		Quantity		Wt/Vol		Waste No.					
						0-01 T-R		2.2		LBS		K-061					
c.																	
d.																	
J. Additional Descriptions for Materials Listed Above (Include physical state and hazard code)						K. Handling Codes for Wastes Listed Above											
Haz. Code Physical State						Haz. Code Physical State						a. SO3					
a. T S						c.						b.					
b.						d.						d.					
15. Special Handling Instructions and Additional Information																	
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. a. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.																	
Printed/Typed Name C.R. DIXON, JR., WORKS MANAGER						Signature 						Month 02		Day 22		Year 88	
17. Transporter 1 Acknowledgement of Receipt of Materials						Signature						Month		Day		Year	
Printed/Typed Name																	
18. Transporter 2 Acknowledgement of Receipt of Materials						Signature						Month		Day		Year	
Printed/Typed Name																	
19. Discrepancy Indication Space																	
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.																	
Printed/Typed Name						Signature						Month		Day		Year	



PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES
Bureau of Waste Management
P. O. Box 2063
Harrisburg, PA 17120

Form approved.
OMB No. 2050-0039
Expires 9-30-88

ER-SWM-51:REV. 6/87

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

In case of an emergency or spill immediately call the National Response Center (800) 424-8802 and the PA DER (717) 787-4343

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. CHDO017497587	Manifest Document No. 000004	2. Page 1 of	Information in the shaded areas is not required by Federal law but is required by State law.	
3. Generator's Name and Mailing Address American Steel Foundries 1001 E. Broadway Alliance, Ohio				A. State Manifest Document Number PAB 4651091		
4. Generator's Phone (216) 823-0159				B. State Gen. ID CHDO017497587		
5. Transporter 1 Company Name Jack Gray Transport		6. US EPA ID Number 1-HDO04-2534870		C. State Trans. ID PA-AH 0200		
7. Transporter 2 Company Name		8. US EPA ID Number		D. Transporter's Phone (800) 638-0170		
9. Designated Facility Name and Site Address The New Jersey Zinc Co. Fourth and Delaware Ave. Palmerton, Pennsylvania		10. US EPA ID Number P-A-D-002385807		E. State Trans. ID PA-AH		
				F. Transporter's Phone ()		
				G. State Facility's ID Not Required		
				H. Facility's Phone (215) 828-2111		
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)		12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
RQ. Hazardous Waste Solid N.O.S. ORM-E, NAB100. (K061)		001	TR	5.70	LB	K-001
J. Additional Descriptions for Materials Listed Above (Include physical state and hazard code)		K. Handling Codes for Wastes Listed Above				
a. Haz. Code Physical State T G		c. Haz. Code Physical State T G		e. 603		
b. Haz. Code Physical State T G		d. Haz. Code Physical State T G		f.		
15. Special Handling Instructions and Additional Information						
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.						
Printed/Typed Name D. Dixon, Jr. Waste Manager		Signature <i>[Signature]</i>			Month Day Year 02 05 88	
17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name E. JACK JOHNSON		Signature <i>[Signature]</i>			Month Day Year 02 05 88	
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name		Signature			Month Day Year	
19. Discrepancy Indication Space						
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.						
Printed/Typed Name		Signature			Month Day Year	

15

Carrier's No.

Name of Carrier

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading

The property described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on the date of delivery to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route, to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to the terms and conditions of the Uniform Domestic Freight Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Delivering Carrier _____ Car Vehicle Initials _____ No. _____

[illegible]

Subject to Section 7 of conditions of applicable bill of lading if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

(SIGNATURE OF CONSIGNOR)

If charges are to be prepaid, write or stamp here. "To Be Prepaid."

TO BE
PREPAID

Received \$ _____
to apply in prepayment of the charges
on the property described herein.

AGENT OR CARRIER

Per _____
(THE SIGNATURE HERE ACKNOWLEDGES ONLY THE AMOUNT PREPAID.)

Chrysler Advanced:

7 (Whipper's imprint in lieu of stamp
not a part of bill of lading approved
by the Interstate Commerce Com-
mission.)

* If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carrier's or shipper's weight."

NOTE—Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.

The agreed or declared value of the property
is hereby specifically stated by the shipper to be not extending

The FURN Boxes used for this shipment conform to the specifications set forth in the box maker's certificate the enclosed all other requirements of associated Fresh Classification

AMERICAN STEEL FOUNDRIES, Shipper. Per Re Woods Agent E. J. O'Brien Per Jack Hayman

Permanent postoffice address of shipper 1005 Prudential Plaza, Chicago, Ill. 60601



PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES
Bureau of Waste Management
P. O. Box 2063
Harrisburg, PA 17120

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)
Form Approved. OMB No. 2050-0039 Expires 9-30-88

ER-SWM-51:REV. 10/86

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. 04D0174 07587		Manifest Document No. 0-0-003		2. Page 1 of		Information in the shaded areas is not required by Federal law but is required by State law.							
3. Generator's Name and Mailing Address AMERICAN STEEL FOUNDRIES 1001 E. BROADWAY ST. ALLIANCE, OHIO						A. State Manifest Document Number PAB 5168310									
						B. State Gen. ID 04D017407587									
4. Generator's Phone (216) 823-6150						C. State Trans. ID PA-AH 0-2-0-8									
5. Transporter 1 Company Name JACK GRAY TRANSPORT INC.						D. Transporter's Phone (600) 838-9170									
6. US EPA ID Number IND042534875						E. State Trans. ID PA-AH									
7. Transporter 2 Company Name						F. Transporter's Phone ()									
8. US EPA ID Number						G. State Facility's ID Not Required									
9. Designated Facility Name and Site Address THE NEW JERSEY ZINC CO. FOURTH AND DELAWARE AVE. PALMERTON, PA. 18071						H. Facility's Phone ()									
10. US EPA ID Number PADD002305807															
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)						12. Containers		13. Total Quantity		14. Unit Wt/Vol		15. Waste No.			
a. RC. HAZARDOUS WASTE SOLID N.O.S. ORM-E, NA 9189. (K081)						0-0-1 T-R		2		LBS					
b.															
c.															
d.															
J. Additional Descriptions for Materials Listed Above (include physical state and hazard code)						K. Handling Codes for Wastes Listed Above									
Haz. Code Physical State						Haz. Code Physical State						a. E03		c.	
e. 1 S						c. 1									
b. 1						d. 1						b.		d.	
15. Special Handling Instructions and Additional Information															
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations, If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.															
Printed/Typed Name C.R. DIXON, JR., WORKS MANAGER						Signature		Month Day Year 01 15 88							
17. Transporter 1 Acknowledgement of Receipt of Materials						Signature		Month Day Year 01 15 88							
Printed/Typed Name ERNEST N EDWARDS						Signature		Month Day Year 01 15 88							
18. Transporter 2 Acknowledgement of Receipt of Materials						Signature		Month Day Year							
Printed/Typed Name						Signature		Month Day Year							
19. Discrepancy Indication Space															
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.															
Printed/Typed Name						Signature		Month Day Year							

Carrier's No.

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading.

The property described below is in apparent good order, except as noted (contents and condition of contents of package, unknown), marked, consigned, and destined as indicated below, which said carrier (the sender and sender's transferee) (throughout this contract) as a shipping agent or person or corporation in possession of the property under the contract agrees to carry to its usual place of destination, by the said route, and to deliver and/or transfer the property to the carrier or carrier of the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in said property, that the property service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Straight Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

FORM A-410-S REV. 3-80



PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES
Bureau of Waste Management
P. O. Box 2063
Harrisburg, PA 17120

8

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)
Form Approved. OMB No. 2050-0039 Expires 9-30-88

ER-SWM-51:REV. 10/86

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. OH0017407507		Manifest Document No. 10-0002		2. Page 1 of		Information in the shaded areas is not required by Federal law but is required by State law.							
3. Generator's Name and Mailing Address AMERICAN STEEL FOUNDRIES 1001 E. BROADWAY ALLIANCE, OHIO						A. State Manifest Document Number PAB 5168306									
4. Generator's Phone (216) 823-8150						B. State Gen. ID OR0017407567									
5. Transporter 1 Company Name JACK GRAY TRANSPORT INC.				6. US EPA ID Number IND042534875		C. State Trans. ID PA-AH 0208									
7. Transporter 2 Company Name				8. US EPA ID Number		D. Transporter's Phone (800) 638-9170									
9. Designated Facility Name and Site Address THE NEW JERSEY ZINC CO. FOURTH AND DELAWARE AVE. PALMERTON, PENNSYLVANIA 18071						E. State Trans. ID PA-AH									
10. US EPA ID Number PA0002335887						F. Transporter's Phone (215) 828-2111									
						G. State Facility's ID Not Required									
						H. Facility's Phone ()									
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)						12. Containers No. Type		13. Total Quantity		14. Unit Wt/Vol		15. Waste No.			
a. RG. HAZARDOUS WASTE SOLID NO.5 ORM-E. NAH199. (K061)						0-01 T-R		2.6, 7.6 D		LBS.					
b.															
c.															
d.															
J. Additional Descriptions for Materials Listed Above (include physical state and hazard code)						K. Handling Codes for Wastes Listed Above									
Haz. Code		Physical State		Haz. Code		Physical State		a. 803				c.			
a. T		S		c. T		S		b.				d.			
b. T		S		d. T		S									
15. Special Handling Instructions and Additional Information															
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment; OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.															
Printed/Typed Name C. R. DIXON, JR., WORKS MANAGER						Signature 				Month Day Year 11 11 86					
17. Transporter 1 Acknowledgement of Receipt of Materials						Signature				Month Day Year					
Printed/Typed Name															
18. Transporter 2 Acknowledgement of Receipt of Materials						Signature				Month Day Year					
Printed/Typed Name															
19. Discrepancy Indication Space															
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.															
Printed/Typed Name						Signature				Month Day Year					

In case of an emergency or spill immediately call the National Response Center (800) 424-8802 and the PA DER (717) 787-4343

GENERATOR

TRANSPORTER

FACILITY

INSTRUCTIONS FOR COMPLETION OF THE PA HAZARDOUS WASTE MANIFEST

9

—Please read these instructions before completing this form.

GENERAL INFORMATION

This Hazardous Waste Manifest consists of eight copies. As the Manifest is completed the copies are removed from back to front.

For interstate shipments, the copies of the manifest shall be distributed as indicated at the bottom of each copy.

For shipments within Pennsylvania, the Generator shall retain Copies 6, 7, and 8. The TSD Facility shall retain Copies 1, 2, and 4.

If there are more than four different waste streams in a shipment, except for lab packs, complete another Manifest. If there are more than two transporters or if the waste is a lab pack, use the Uniform Hazardous Waste Manifest Continuation Sheet. Continuation Sheets may be purchased commercially.

If you have any questions concerning the completion of this Manifest, call 717-787-6239.

NOTE: For interstate shipments you may be required to supply additional information regarding the completion of lettered Items A through K. Please check with both the Generator and Destination States for specific requirements.

GENERATOR

- Item 1.** Generator's US EPA ID No. - Enter the twelve digit US EPA Identification Number. Manifest Document No. - The generator must assign a unique five digit number.
- Item 2.** Page 1 of ____ - Enter the total number of pages used to complete this Manifest including the first page plus the number of Continuation Sheets, if any.
- Item 3.** Generator's Name and Mailing Address - Enter the complete name of the generator and the complete mailing address. The address should be the location that will manage the returned Manifest forms.
- Item A.** State Manifest Document Number - This Number is preprinted; do not alter it. This Number must be placed in item 1 of each continuation sheet.
- Item B.** State Gen. ID - Not required for PA Generators. See Note (above).
- Item 4.** Generator's Phone Number - Enter the area code and telephone number where an authorized agent of the Generator may be contacted.
- Item 5.** Transporter 1 Company Name - Enter the complete company name of the first transporter who will transport the waste.
- Item 6.** US EPA ID Number - Enter the twelve digit US EPA Identification Number of the transporter identified in Item 5.
- Item C.** State Trans. ID - Enter the Hazardous Waste Transporter License No. issued by PA Dept. of Environmental Resources. See Note (above).
- Item D.** Transporter's Phone - Enter the area code and telephone number where an authorized agent of the Transporter may be contacted.
- Item 7.** Transporter 2 Company Name - If applicable, see Item 5.
- Item 8.** US EPA ID Number - If applicable, see Item 6.
- Item E.** State Trans. ID - If applicable, see Item C.
- Item F.** Transporter's Phone - If applicable, see Item D.
- Item 9.** Designated Facility Name and Site Address - Enter the complete company name and complete site address of the facility designated to receive the waste listed on this Manifest. The address must be the site address, which may differ from the mailing address.
- Item 10.** US EPA ID Number - Enter the twelve digit US EPA Identification Number of the Designated Facility.
- Item G.** State Facility's ID - Not Required.
- Item H.** Facility's Phone - Enter the area code and phone number where an authorized agent of the Designated Facility may be contacted.
- Item 11.** US DOT Description Including Proper Shipping Name, Hazard Class, and ID Number (UN/NA Number) - Enter the US DOT Proper Shipping Name, Hazard Class, and ID Number (UN/NA Number) for each waste as identified in 49 CFR 171 through 177.
- Item 12.** Containers (No. and Type) - Enter the number of containers for each waste and the appropriate abbreviation from Table I (below) for the type of container.
- Item 13.** Total Quantity - Enter the total quantity of each waste. Do not use decimals or fractions.
- Item 14.** Unit (Wt/Vol) - Enter the appropriate abbreviation from Table II (below) for the unit of measure.

Table I — Types of Containers

DM = Metal drums, barrels, kegs	DT = Dump truck
DW = Wooden drums, barrels, kegs	CY = Cylinders
DF = Fiberboard or plastic drums, barrels, kegs	CM = Metal boxes, cartons, cases (including roll-offs)
TP = Tanks portable	CW = Wooden boxes, cartons, cases
TT = Cargo tanks (tank trucks)	CF = Fiber or plastic boxes, cartons, cases
TC = Tank cars	BA = Burlap, cloth, paper or plastic bags

Table II — Units of Measure

G = Gallons (liquids only)	L = Liters (liquids only)
P = Pounds	K = Kilograms
T = Tons (2000 lbs)	M = Metric tons (1000 kg)
Y = Cubic yards	N = Cubic meters

- Item I.** Waste No. - Enter the Hazardous Waste No. of the waste or wastes. Refer to Section 75.261 of the Department's Regulations. See Note (above). If a waste is not hazardous in PA but regulated by another State, enter that State's waste code. Also, enter in Item J, "This waste is not a hazardous waste according to PA law."
- Item J.** Additional Descriptions for Materials Listed Above (include physical state and hazard code) - Enter the physical state of each waste (S-solid, L-liquid, SL-sludge or G-gas) and the hazard code or codes that correspond to the Hazardous Waste No. (I-ignitable, C-corrosive, R-reactive, E-E-toxic, H-acute hazardous, and T-toxic). See Note (above).
- Item K.** Handling Codes for Wastes Listed Above - Not required for PA Generators. See Note (above).
- Item 15.** Special Handling Instructions and Additional Information - Use this space to indicate special transportation, treatment, storage, or disposal information or Bill of Lading information. For international shipments, enter the point of departure (City and State).
- Item 16.** Generator's Certification - Read and sign by hand the certification statement. Enter the date the waste was shipped. If a mode other than highway is used, the word "highway" should be lined out and the appropriate mode (rail, water, or air) inserted in the space below. If another mode in addition to the highway mode is used, enter the appropriate additional mode (e.g., and rail) in the space below the certification statement.

TRANSPORTER

- Item 17.** Transporter 1 Acknowledgement of Receipt of Materials - Print or type the name of the person accepting the waste on behalf of the transporter. Sign and enter the date of receipt.
- Item 18.** Transporter 2 Acknowledgement of Receipt of Materials - If applicable, see Item 17.

DESIGNATED FACILITY

- Item 19.** Discrepancy Indication Space - The Designated Facility's authorized representative must note in this space any significant discrepancy between the waste described on the Manifest and the waste actually received.
- Item 20.** Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19. Print or type the name of the person accepting the waste on behalf of the owner or operator of the facility. Sign and enter the date of receipt.



American Steel Foundries

1001 EAST BROADWAY • ALLIANCE, OHIO 44601 • (216) 823-6150

Date: JANUARY 11, 1988

Total number of pages to be transmitted 2
(Including cover page)

FAX message is to be delivered to: NEW JERSEY ZINC CO.
(name)

DEBORAH COPEL

FAX message being sent by: F.C. BROADWAY

Phone No.: (216) 823-6150

Transmitting FAX No.: 216-821-4568

If you have any problems receiving this transmission, please contact us as soon as possible (216) 823-6150.

Thank you.

AMERICAN STEEL FOUNDRIES

1 //

Carrier's No.

(Name of Carrier)

AT ALLIANCE OHIO

19

from

AMERICAN STEEL FOUNDRIES

Shopper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in this classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

Consigned to

THE NEW JERSEY ZINC CO

(Mail or street address of consignee—for purposes of notification only.)

Destination

PALMERTON

State

PA

County

Delivery Address *

FOURTH ST & DELAWARE AVE

(*To be filled in only when shipper desires and governing tariffs provide for delivery thereat.)

Route

JACK. GRAY TRUCKING

Delivering Carrier

Car Vehicle Initials

No.

[illegible]

Subject to Section 7 of conditions of applicable bill of lading, if this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement:

The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

(SIGNATURE OF COMMANDER)

If charges are to be prepaid,
write or stamp here. "To Be Pre-
paid."

TO BE
PREPAID

Received \$.....
to apply in prepayment of the charges
on the property described herein.

AGENT ON CARRIER

Per _____
(THE SIGNATURE HERE ACKNOWLEDGES ONLY THE AMOUNT PREPAID.)

Charges Advanced:

† Shipper's imprint in lieu of stamp;
not a part of bill of lading approved
by the Interstate Commerce Com-
mission.)

*If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is "carriers' or shipper's weight."

NOTE—Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.

The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding

The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon and all other requirements of Consolidated Freight Classification.

AMERICAN STEEL FOUNDRIES, Shipper

Per

RE Wood

Agent

Per

Permanent postoffice address of shipper **1005 Prudential Plaza, Chicago, Ill. 60601**



PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES
Bureau of Waste Management
P. O. Box 2063
Harrisburg, PA 17120



* P A B 5168295 *

ER-SWM-51:REV. 10/86

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)
Form Approved. OMB No. 2050-0039 Expires 9-30-88

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. OHDO-I 7-4-9-7-5-8-7		Manifest Document No. 00-0-0-1		2. Page 1 of		Information in the shaded areas is not required by Federal law but is required by State law.					
3. Generator's Name and Mailing Address AMERICAN STEEL FOUNDRIES 1001 E. BROADWAY ALLIANCE, OHIO (216) 823-6150						A. State Manifest Document Number PAB 5168295							
						B. State Gen. ID OHDO 17497587							
5. Transporter 1 Company Name JACK GRAY TRANSPORT INC.						C. State Trans. ID PA-AH 0-2-0-8							
7. Transporter 2 Company Name						D. Transporter's Phone (800) 638-9170							
9. Designated Facility Name and Site Address THE NEW JERSEY ZINC CO. PALMERTON, PA. 18071						E. State Trans. ID PA-AH							
10. US EPA ID Number PA 0002395887						F. Transporter's Phone ()							
						G. State Facility's ID Not Required							
						H. Facility's Phone (215) 826-2111							
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) a. RQ. HAZARDOUS WASTE SOLID N.O.S. ORM-E. NA 9189. (KO61)						12. Containers		13. Total		14. Unit		15. Waste No.	
						No. Type		Quantity		Wt/Vol			
b.													
c.													
d.													
J. Additional Descriptions for Materials Listed Above (include physical state and hazard code)						K. Handling Codes for Wastes Listed Above							
Haz. Code Physical State						a. S03							
a. T S						b.							
b.						c.							
c.						d.							
15. Special Handling Instructions and Additional Information													
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.													
Printed/Typed Name C. R. DIXON, JR., WORKS MANAGER						Signature 		Month Day Year 1-2-98					
17. Transporter 1 Acknowledgement of Receipt of Materials													
Printed/Typed Name						Signature		Month Day Year					
18. Transporter 2 Acknowledgement of Receipt of Materials													
Printed/Typed Name						Signature		Month Day Year					
19. Discrepancy Indication Space													
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19.													
Printed/Typed Name						Signature		Month Day Year					



American Steel Foundries

1001 EAST BROADWAY • ALLIANCE, OHIO 44601 • (216) 823-6150

Date:

Jan. 4, 1988

Total number of pages to be transmitted
(Including cover page)

2

FAX message is to be delivered to:

New Jersey Zinc Company
(name)
Delmar Cope

FAX message being sent by:

T. C. Bradway
~~R. E. Staller~~

Phone No.:

(216) 823-6150

Transmitting FAX No.: 216-821-4568

If you have any problems receiving this transmission, please contact us as soon as possible (216) 823-6150.

Thank you.

AMERICAN STEEL FOUNDRIES

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES
Bureau of Waste Management
P. O. Box 2063
Harrisburg, PA 17120

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)
 Form Approved. OMB No. 2050-0039 Expires 9-30-88

In case of an emergency or spill immediately call the National Response Center (800) 424-8802 and the PA DER (717) 787-4343

EPA REGULATION 40 CFR 261.11

GENERATOR

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. OH.D.017.4.0.7.5.6.7		Manifest Document No. 000000	2. Page 1 of	Information in the shaded areas is not required by Federal law but is required by State law.	
		3. Generator's Name and Mailing Address AMERICAN STEEL FOUNDRIES 1001 E. BROADWAY ALLIANCE, OHIO (216) 823-8150		A. State Manifest Document Number PAB 5168295		B. State Gen. ID OHDO 17497587	
5. Transporter 1 Company Name JACK ORAY TRANSPORT INC.		6. US EPA ID Number 1 ND 042 53 48 75		C. State Trans. ID PA-AH 0208		D. Transporter's Phone (800) 638-8170	
7. Transporter 2 Company Name		8. US EPA ID Number		E. State Trans. ID PA-AH		F. Transporter's Phone ()	
9. Designated Facility Name and Site Address THE NEW JERSEY BOND CO. PALMERTON, PA. 18071		10. US EPA ID Number P A D 00238 58 8 7		G. State Facility's ID Not Required		H. Facility's Phone (215) 825-2111	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) a. RD. HAZARDOUS WASTE SOLID N.O.S. ORM-E. NA 0189, (K061)				12. Containers	13. Total Quantity	14. Unit Wt/Vol	15. Waste No.
				No.	Type		
				1 TC	3,032.0	LBS	
b.							
c.							
d.							
J. Additional Descriptions for Materials Listed Above (include physical state and hazard code)				K. Handling Codes for Wastes Listed Above			
Haz. Code		Physical State		Haz. Code		Physical State	
a. T	S	c. U	U	a. S03		c.	
b. U	U	d. U	U	b.		d.	
15. Special Handling Instructions and Additional Information							
16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. If I am a large quantity generator, I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment, OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and select the best waste management method that is available to me and that I can afford.							
Printed/Typed Name C. R. DIXON, JR., WORKS MANAGER				Signature		Month Day Year 12/2/94	
17. Transporter 1 Acknowledgement of Receipt of Materials				Signature		Month Day Year 12/2/94	
Printed/Typed Name				Signature		Month Day Year	
18. Transporter 2 Acknowledgement of Receipt of Materials				Signature		Month Day Year	
Printed/Typed Name				Signature		Month Day Year	
19. Discrepancy Indication Space							
20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.							
Printed/Typed Name				Signature		Month Day Year	

Bureau of Waste Management
P. O. Box 2063
Harrisburg, PA 17120

Form approved,
Ohio No. 2550-0630
Expires 9-30-88

ER-SWM-51-REV 6-87

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator's US EPA ID No. OH.D.O.1.7.4.9.8.5.8.7		2. Page 1 of 1 Information in the shaded areas is not required by Federal law but is required by State law.	
		3. Generator's Name and Mailing Address American Steel Foundries 101 E. Broadway Alliance, Ohio 44801		A. State Manifest Document Number PAB 5352572	
4. Generator's Phone (216) 823-6150		5. State Gen. ID OHDO17497587		6. State Trans. ID PA-AH 0.2.0.8	
5. Transporter 1 Company Name Jack Gray Transport		6. US EPA ID Number 1.N.D.O.4.2.5.3.4.8.7.6		D. Transporter's Phone (800) 638-8170	
7. Transporter 2 Company Name		8. US EPA ID Number		E. State Trans. ID PA-AH	
8. Designated Facility Name and Site Address The New Jersey Zinc Co. Fourth and Delaware Ave. Palmerton, Pennsylvania		10. US EPA ID Number P.A.D.O.2.3.8.5.8.8.7		F. Transporter's Phone ()	
11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number) RQ Hazardous Waste Solid N.O.S. ORM-E NA-0189 EPA (EP-Toxicity)		12. Containers No. Type 001 T.R.		13. Total Quantity 3.1.5.6.0	
				14. Unit Wt/Vol LBS	
15. Special Handling Instructions and Additional Information		16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are packaged, packed, marked and labeled and are in all respects in proper condition for transport by highway according to applicable international and national government regulations. I am a large quantity generator. I certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and that I have selected the practicable method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment. OR, if I am a small quantity generator, I have made a good faith effort to minimize my waste generation and selected the best waste management method that is available to me and that I can afford.		K. Handling Codes for Wastes Listed Above S03	
				17. Transporter 1 Acknowledgement of Receipt of Materials Printed/Typed Name ASTD Signature Herman Coats Month Day Year 05/31/88	
18. Transporter 2 Acknowledgement of Receipt of Materials Printed/Typed Name Signature Month Day Year		19. Discrepancy Indication Space 31780		20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in item 19. Printed/Typed Name Dennis Rehrig Signature Dennis Rehrig Month Day Year 9/1/88	
19. Discrepancy Indication Space Carbon was turned up. Delivered to Cope 6/2/87					

PAB 5352572



State of Ohio Environmental Protection Agency

Northeast District Office

2110 E. Aurora Road
Twinsburg, Ohio 44087-1969
(216) 339-9171



Richard F. Celeste
Governor

June 14, 1988

RE: AMERICAN STEEL FOUNDRIES
ALLIANCE AND SEBRING TWP.
FACILITIES
OHD 981-909-418 (G)
OHD 017-497-587 (LDF)

Mr. Paul Limbach
American Steel Foundries
1001 East Broadway
Alliance, Ohio 44601

Dear Mr. Limbach:

I wish to thank you and Mr. Charles Ruud for your time and cooperation during my May 25, 1988, inspection of American Steel Foundries' production and disposal facilities. The purpose of this inspection was to evaluate ASF's compliance with State and Federal hazardous waste regulations.

Inspection forms have been completed for the production facility in Alliance and the disposal facility in Sebring Township. Based on our discussions at the time of this inspection, you and Mr. Ruud indicated that your responses on the disposal site questionnaire remain unchanged (with one exception) from the August 27, 1987, hazardous waste compliance evaluation of this facility.

Ohio EPA's Division of Groundwater is preparing a Comprehensive Monitoring and Evaluation report which shall evaluate the adequacy of the groundwater monitoring system at the disposal facility for compliance with 40 CFR 265 Subpart F and corresponding State requirements. When complete, this report will be sent to you. If you have any questions on the status of this report, please contact Rich Freitas of this office.

Production Facility:

American Steel Foundries production facility generates electric arc furnace emission control dust (D006 and D008) which is collected in a baghouse and periodically manifested off-site to a zinc reclamation facility, (approximately one full trailer ever three weeks). ASF is presently managing this material as hazardous waste and is subject to the 40 CFR 262 and OAC 3745-52 generator standards. The following violations are noted:

1. Manifests:

Upon further review of two manifests (document numbers 00009 and 00010) received at the inspection, I have noted that ASF is incorrectly using the U.S. EPA ID number for the disposal facility (OHD 017-497-587) rather than the production facility (OHD 981-909-418). Please correct this oversight. Proper completion of the manifest is required by 40 CFR 262.20 (see Appendix to Part 262) and OAC 3745-52-20.

2. Personnel Training:

ASF must develop a personnel training program for employees who are responsible for management of hazardous waste. Training must be provided to those employees who complete manifests, physically manage, label, placard or inspect hazardous waste storage areas as well as those persons who are responsible for implementing the contingency plan. Documented records of personnel training, job titles and descriptions, type and amount of training for various personnel are required by 40 CFR 265.16 and OAC 3745-65-16.

3. Contingency Plan:

ASF maintains that because of the minimal risks posed by the EAF dust, no provisions for contacting local emergency agencies have been made. The plan makes numerous references to the noncombustible, nonexplosive nature of the waste material. ASF's plan has not been submitted to response agencies for these reasons.

All metal powders possess explosive power if dispersed in air and allowed to come into contact with an ignition source. Whereas, I concur that the material once collected in the trailer poses a negligible explosive risk, I do not agree that the process of collecting airborne, fine metal dust from an electric arc furnace does not have explosive potential.

The May 19, 1980, final rule (see 49 FR 33185) regarding submittal of contingency plans to emergency response agencies does include a narrow provision which could exempt a facility from contingency plan submission. This provision would apply if, in the event of an emergency, local authorities would not be called upon to provide service to people outside the facility. Should ASF have a large airborne release from the baghouse, response personnel may be necessary to provide services to nearby residents.

We do not believe that submittal of your contingency plan to local response agencies would be overly burdensome. Considering the recent warehouse pesticide fire and emergency in Alliance, submittal of your plan to local agencies would provide for proper emergency planning at ASF and for the City of Alliance.

As cited in the inspection form, ASF has failed to:

- make appropriate arrangements with local emergency authorities to familiarize them with the possible hazards at the facility (RE: EAF dust management) as required by 40 CFR 265.37 and OAC 3745-65-37
- document within the plan these arrangements as required by 40 CFR 265.52 and OAC 3745-65-52
- submit a copy of this plan to all local and State emergency service authorities that might be required to participate in the execution of the plan as required by 40 CFR 265.53 and OAC 3745-65-53.

4. Annual Reports:

This requirement is not included on the attached forms and as such was not discussed during the inspection. ASF began manifesting waste off-site in December, 1987. Therefore, pursuant to OAC 3745-52-41, ASF is required to comply with Ohio's annual reporting regulations which require generators who send hazardous waste off-site for treatment, storage or disposal to prepare and submit to the Ohio EPA an annual report on or before March 1 for the previous calendar year. Companies which submit timely annual reports to Ohio do not need to submit biennial reports to the Federal Government as required by 40 CFR 262.41. In order to be included on Ohio EPA's mailing list to receive the report forms, please contact Mr. Tom Crepeau of our Central Office at (614) 644-2934.

Disposal Facility:

This site continues to be used for disposal of nonhazardous wastes which include clarifier sludge, slag and miscellaneous wastes from American Steel Foundries production facility.

Pending formal closure of this facility, which previously accepted hazardous waste all applicable RCRA TSD facility standards apply. The following violations remain uncorrected at the Sebring disposal site.

1. Waste Analysis Plan ASF has not developed a waste analysis plan as required by 40 CFR 265.13 and OAC 3745-65-13.
2. Security: This facility is accessible and does not have a means to control entry at all times or proper signs posted as required by 40 CFR 265.14 and OAC 3745-65-14.

3. Inspections: ASF has not developed or implemented an inspection plan as required by 40 CFR 265.15 and OAC 3745-65-15.
4. Personnel Training: ASF has not developed a personnel training program specific to management of hazardous waste as required by 40 CFR 265.16 and OAC 3745-65-16.
5. Testing/Maintenance of Equipment: Testing and maintenance of communication equipment is not documented as required by 40 CFR 265.33 and OAC 3745-65-33.
6. Contingency Plan/Emergency Coordinator: ASF has not developed a Contingency Plan for this facility as required by 40 CFR 265.51 and OAC 3745-65-51. ASF has not formally designated an emergency coordinator for this facility as required by 40 CFR 265.55 and OAC 3745-65-55.
7. Operating Record: ASF does not maintain a written operating record for this facility as required by 40 CFR 265.73 and OAC 3745-65-73.
8. Reporting Requirements: ASF has not fulfilled the TSD reporting requirements of 40 CFR 265.75 and OAC 3745-65-75.
9. Manifests: ASF has not complied with the manifesting requirements of 40 CFR 265.71 and OAC 3745-65-71. Unmanifested waste reports have not been prepared and submitted as required by 40 CFR 265.76 and OAC 3745-65-76.
10. Groundwater Monitoring: The adequacy of the groundwater monitoring system will be evaluated by the CME report currently being prepared by Ohio EPA's Division of Groundwater.
11. Closure/Post Closure Plans: ASF has not developed closure or post-closure plans for this facility as required by 40 CFR 265.112, OAC 3745-66-12 and 40 CFR 265.118, OAC 3745-66-18.
12. Financial Assurance: ASF has not established financial assurances for closure and post-closure and post-closure as required by 40 CFR 265.143, 265.145 and OAC 3745-66-43, 3745-66-45. ASF has not established liability coverage as required by 40 CFR 265.147 and OAC 3745-66-47.
13. Operating Requirements: Operating requirements of 40 CFR 265.302 and OAC 3745-68-02 require specific design, construction, operation and maintenance provisions for run-off/run-on control and wind dispersal control. ASF has not operated according to these requirements or fulfilled surveying, record-keeping and closure requirements in 40 CFR 265.309, 265.310 and OAC 3745-68-09, 3745-68-10.

Page Number 5
June 14, 1988
. Paul Limbach

Ohio EPA
NEDO

14. Free Liquids: Requirements in 40 CFR 265.314 and OAC 3745-69-14 prohibit disposal of bulk or non-containerized liquid waste in a hazardous waste landfill that does not have a liner or leachate collection system. ASF continues to dispose of nonhazardous clarifier slurry at this facility.
15. Property Deed: ASF has not attached a notation to the property deed which documents that the property has been used to manage hazardous waste and future use of the property is restricted under section 40 CFR 265.117 (OAC 3745-66-17) as required by 40 CFR 265.120 and OAC 3745-66-20.

Other Issues:

As discussed during our inspection, pending resolution of the Federal enforcement complaint filed by U.S. EPA, Ohio EPA is unable to consider a solid waste PFI for the Sebring disposal site. However, if you have any questions regarding the permitting process, please contact Mr. Dan Powell or Mr. Phil Rhodes of Ohio EPA's solid waste staff.

The following item remains unaddressed from the August 1987 inspection:

The former "treatment" process used by ASF at the production facility involved mixing EAF dust with clarifier sludge in a tank truck (container by regulatory definition - 40 CFR 260.10 and OAC 3745-50-10). ASF must document that all hazardous waste and hazardous waste residues were removed from the treatment processes or equipment in accordance with 40 CFR 265.404 and OAC 3745-69-404. This must be accomplished through rinsate analyses in accordance with applicable Ohio EPA closure guidance.

Within 30 days of receipt of this letter, please acknowledge in writing and/or submit supporting documentation which would demonstrate compliance with all cited violations. If you have any questions, please contact me at (216) 425-9171.

Sincerely,



Kevin Bonzo
Environmental Scientist
Division of Solid and Hazardous Waste
Management

KB/sp

Enclosure

cc: Debby Berg, DSHWM, NEDO
Dave Sholtis, DSHWM, C.O.
Phil Rhodes, DSHWM, NEDO
Catherine McCord, U.S. EPA, Region V